

PATENT
Attorney Docket No. JP920000131US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Noboru KAMIJO et al.

Serial No: 09/682,024

Filed: July 11, 2001

For: WRISTWATCH TYPE DEVICE AND
METHOD FOR MOVING POINTER

Examiner: Jean E. LESPERANCE

Art Unit: 2674

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APPEAL BRIEF

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicant submits this brief pursuant to 37 C.F.R. §1.192 in furtherance of the Notice of Appeal timely filed in this case on November 18, 2004, setting a two-month shortened statutory period of brief filing expiring January 18, 2005.

Please charge Deposit Account 50-0510 the \$500 fee for filing this Appeal Brief. No other fee is believed due with this Appeal Brief, however, should another fee be required please charge Deposit Account 50-0510.

Real Party In Interest

The real party in interest is International Business Machines Corporation.

Related Appeals And Interferences

None.

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Application Serial No. 09/682,024

Examiner for claim 11. Therefore, the Appellant submits that the rejection of claim 11 is improper and respectfully requests that the rejection of claim 11 be reversed by the honorable Board.

Claims 12 and 14

If an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is non-obvious. *In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)*.

Claims 12-14 are dependent on and further limit claim 11. Since claim 11 is allowable over the cited art, claims 12-14 are allowable over the cited art for at least the same reasons as claim 11. Therefore, the Appellant respectfully requests that the rejections of claims 12-14 be reversed by the honorable Board.

Conclusion

In view of the foregoing, Appellant submits that the rejections of claims 1, 3-8, 10-14, 17 and 18 are improper and respectfully requests that the rejections of claims 1, 3-8, 10-14, 17 and 18 be reversed by the honorable Board.

Respectfully submitted,


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Dated: January 18, 2005